$\mathcal{IPW}$

PATENT
ATTORNEY DOCKET: 46884-5275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Yuji SAKAMOTO et al.	)	Confirmation No.: 3016
Application No.: 10/593,745	)	Group Art Unit: 2615
Filed: September 22, 2006	)	Examiner: Devona E. Faulk
For: AUDIO OUTPUT APPARATUS, AUDIO SIGNAL OUTPUT ADJUSTING METHOD, AUDIO SIGNAL OUTPUT ADJUSTING PROCESS PROGRAM, AND THE LIKE	)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated September 16, 2008.

2. Additional papers enclosed:

    ☐ Information Disclosure Statement
    ☐ Submission of Replacement Drawing Sheets
    ☐ Replacement Drawing Sheets; ___ sheets; ___ figures
    ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3.   <u>Extension of Time</u>

The proceedings herein are for a patent application and the provisions of
37 C.F.R. § 1.136(a) apply.

☒   Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐   Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
☐ one month	$ 130.00	$ 65.00
☐ two months	$ 490.00	$ 245.00
☐ three months	$ 1,110.00	$ 555.00
☐ four months	$ 1,730.00	$ 865.00

Extension of time fee due with this request: $ _____

If an additional extension of time is required, please consider this a Petition therefor.

☐   An extension for _____months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4.   <u>Constructive Petition</u>

☒   **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5.   Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	14	minus	20	0	x $50 each =	+ $0.00
Independent Claims (37 C.F.R.§1.16(b))	4	minus	4	0	x $200 each =	+ $0.00
[ ] First presentation of Multiple dependent claim(s)					$360.00	+ $0.00
SUB-TOTAL =						$0.00
Reduction by ½ for filing by a small entity						- $0.00
TOTAL FEE =						$0.00

6.   Fee Payment

☒   No fee is to be paid at this time.

☐   Enclosed is a check in the amount of $ _____ for __-month extension of time fee.

☐   The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.

☒   The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: December 10, 2008   By: _____

Paul A. Fournier
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      PROCESS PROGRAM, AND THE LIKE   )

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Sir:

AMENDMENT

In response to the Office Action dated September 16, 2008, the period for response to

which runs through December 16, 2008, please amend the above-identified application as

follows: